

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
FEBRUARY 20, 1963

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, February 20, 1963. Councilmen Brown, Culbertson, Dow, Ullmann and Katzakian (Mayor) present. None absent.

Also Present: City Manager Graves, Planning Director Rodgers, Administrative Assistant Carlton and City Attorney Mullen.

MINUTES Minutes of February 6, 1963 were approved as written and mailed on motion of Councilman Brown, Culbertson second.

PUBLIC HEARINGS

BERTSCH
SETBACK
APPEAL
DENIED

Notice thereof having been published in accordance with law, Mayor Katzakian called for public hearing on the appeal of Mr. Tim Bertsch from the decision of the Planning Commission in denying his request for a variance to permit a twenty-foot setback for two houses being constructed on the east side of Pacific Avenue south of Elm Street. Since the existing houses in this block have a twenty-five-foot setback and comprise more than 40% of the block, the zoning ordinance required that new construction must maintain the same setback. Two foundations had been poured before the discrepancy was discovered. City Manager Graves read the report of the Planning Director summarizing the considerations and actions of the Planning Commission. There were no letters received regarding this matter and no one in the audience gave an opinion. During the discussion by the Council it was brought out that the zoning ordinance requires that undue hardship be shown before a variance may be granted. The cost of changing the foundations was estimated at approximately \$300 each. They also discussed the responsibility of the City and of the developer and expressed concern that the City had been remiss in not detecting the error. Councilman Dow felt that the City had some degree of responsibility for the mistake and should contribute something in having it rectified. Councilman Culbertson stated that steps should be taken by the City to prevent such mistakes from happening, but that the developer should know the regulations and had the primary responsibility for compliance therewith. Since undue hardship on the part of Mr. Bertsch had not been shown, Councilman Culbertson moved that the decision of the Planning Commission in denying the request of Mr. Bertsch for a variance be upheld. The motion was seconded by Councilman Brown and carried by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, ULLMANN
and KATZAKIAN

NOES: Councilmen - DOW

The City Manager said that the Building Department had already taken steps in an effort to avoid such situations in the future.

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PLANNING COMMISSION

REZONING The Planning Commission recommended a change in zoning from the R-3 and R-4 multiple family residential district to the C-P commercial-professional office district for property located at 816-832 South Fairmont Avenue. On motion of Councilman Brown, Dow second, the matter was set for public hearing on March 6, 1963.

816-832 S.
FAIRMONT
TO C-P

COMMUNICATIONS

ABC LICENSES Notices of the following applications for alcoholic beverage licenses were received:

1. Retail Package Off-Sale Beer and Wine, Mar-Val Food Store No. 5, 429 West Lockeford Street.
2. On-Sale Beer and Wine, Luis and Rosario Caballero, Michoacan, 8 South Main Street.

SAFETY COUNCIL A letter was read from the Lodi District Safety Council requesting permission to paint upon the streets, particularly at alleys, signs reading "DO NOT JAY WALK, Lodi Safety Council." The Safety Council would pay the entire cost. Councilman Brown moved that the request be granted. Motion was seconded by Councilman Ullmann and carried.

JAY WALK SIGNS

HEALTH A letter was received from Pacific Mutual Life Insurance Company reporting the claims experience on the City's policies for the period of April 1, 1962 through December 31, 1962, and stating that existing premium rates would be continued.

INSURANCE
REPORT

REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$122,962.83 were approved on motion of Councilman Culbertson, Dow second.

AWARD - Bids received on gasoline, oil and greases
GASOLINE, OIL, totalled as follows:
AND GREASES

RES. NO. 2607	Humble Oil Company	\$37,131.45
ADOPTED	Douglas Oil Company	37,707.98
	Richfield Oil Company	37,823.78
	Signal Oil Company	38,528.10
	Seaside Oil Company	38,722.13
	Standard Oil Company	39,863.93
	Tidewater Oil Company	40,982.61
	Mobil Oil Company	42,821.00
	Shell Oil Company	Did not bid on oil and greases

The City Manager recommended that award be made to the low bidder, Humble Oil Company. On motion of Councilman Culbertson, Brown second, the City Council adopted Resolution No. 2607 awarding the contract for supplying gasoline, oil and greases to Humble Oil Company for a total of \$37,131.45.

AWARD - Only one bid was received on the four police cars. It was from Krieger Motor Company for a total of \$5,289.53 which includes trade-in of four cars.

POLICE CARS

RES. NO. 2608 The City Manager stated that the bid was reasonable and recommended that award be made. On motion

ADOPTED

Minutes of February 20, 1963 continued

of Councilman Brown, Dow second, the City Council adopted Resolution No. 2608 awarding the contract on four police cars to Krieger Motor Company for \$5,289.53.

CCTCo
AGREEMENT

RES. NO. 2609
ADOPTED

The City Manager presented an agreement from Central California Traction Company covering an overhead crossing of City power lines over Traction Company property approximately 200 feet east of Cherokee Lane. The Mayor was authorized to execute the agreement by the adoption of Resolution No. 2609 on motion of Councilman Dow, Culbertson second.

ORDINANCES

REZONE S SIDE
CHESTNUT BTW
CHURCH AND
SCHOOL TO R-4

ORD. NO. 743
ADOPTED

ORDINANCE NO. 743, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY ON THE SOUTH SIDE OF CHESTNUT STREET BETWEEN CHURCH STREET AND SCHOOL STREET TO BE IN THE R-4 MULTIPLE-FAMILY-INSTITUTIONAL RESIDENTIAL DISTRICT," having been introduced at the regular meeting of February 6, 1963, was brought up for passage on motion of Councilman Brown, Dow second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
ULLMANN and KATZAKIAN

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

SCREENING
AREAS

ORD. NO. 744
ADOPTED

ORDINANCE NO. 744, entitled "AN ORDINANCE OF THE CITY OF LODI AMENDING LODI CITY CODE CHAPTER 22 'SUBDIVISION ORDINANCE OF THE CITY OF LODI' BY AMENDING SECTION 22-6(e) AND SECTION 22-7(d) PROVIDING FOR SCREENING AREAS BETWEEN DIFFERENT TYPES OF USES," having been introduced at the regular meeting of February 6, 1963 was brought up for passage on motion of Councilman Ullmann, Dow second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
ULLMANN and KATZAKIAN

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

REPORTS OF CITY MANAGER (continued)

ACCEPTANCE
OF CERTAIN
STREETS

The City Manager reported that the Public Works Department had submitted the following streets as being acceptable by the City:

RES. NO. 2610
ADOPTED

In Hutchins Sunset Park: Corbin Lane, Mills Avenue and Virginia Avenue.

In Willow Glen Unit No. 2: Roper Avenue

On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2610 accepting the above mentioned streets as public streets.

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SPECS -
LEE JONES
REC. BLDG.

Mr. Graves then presented plans and specifications for the Lee Jones Recreation Building to be erected in American Legion Park. Councilman Culbertson moved that the plans and specifications for the Lee Jones Recreation Building be approved, subject to changing the windows to the sliding type, and advertising for bids be authorized. The motion was seconded by Councilman Brown and carried. The Council also agreed that a suitable plaque acknowledging the gift of Mr. Jones should be installed near the main door and that a sign should be erected on the east side of the building designating it as the "Lee Jones Recreation Building."

There being no further business, the meeting adjourned.



Attest: BEATRICE GARIBALDI
City Clerk